

HON. RICARDO S. MARTINEZ

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

BITTREX, INC., et al.,

Defendants.

2:23-cv-00580 RSM

**STIPULATED MOTION AND
SCHEDULING ORDER**

**NOTE ON MOTION CALENDAR:
MAY 19, 2023**

Plaintiff Securities and Exchange Commission (“Plaintiff”), and Defendants Bittrex, Inc., Bittrex Global GmbH, and William Hiroaki Shihara (collectively, “Defendants,” and together with Plaintiff, the “Parties”), by and through their respective undersigned counsel, subject to this Court’s approval, agree and stipulate as follows:

RECITALS

WHEREAS on April 17, 2023, Plaintiff commenced the above-captioned action by filing a Complaint against Defendants;

1 **WHEREAS** Defendants have each agreed to waive service of the Complaint subject to the
2 Parties' reaching an agreement on a proposed schedule for responding to such Complaint;

3 **WHEREAS** the Parties have conferred and agreed to propose to the Court the schedule
4 presented herein;

5 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** as follows:

6 1. Defendants, having agreed to waive service, shall have until June 30, 2023 to
7 answer, file a motion to dismiss, or otherwise respond to the Complaint.

8 2. To the extent one or more Defendants move to dismiss pursuant to Rule 12 of the
9 Federal Rules of Civil Procedure, Plaintiff shall have until August 14, 2023 to file an Opposition,
10 and the moving Defendant(s) shall have until September 8, 2023 to file a Reply.

11 3. The Parties reserve all rights, arguments, claims, and any and all defenses.

12 4. This Stipulation may be executed in separate counterparts, and counterparts may
13 be executed by e-mail or facsimile, each of which shall be an original.

14 **SO ORDERED.**

15 DATED this 22nd day of May,

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RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

Respectfully submitted on May 19, 2023 by:

/s/ Andrew Michael

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/s/ Michael Liftik

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Local Counsel for Defendant Bittrex, Inc.

¹ Bittrex, Inc. filed for Chapter 11 bankruptcy protection together with certain affiliates (the “Debtors”) on May 8, 2023 in the District of Delaware (Bankruptcy Judge Brendan L. Shannon). Quinn Emanuel Urquhart & Sullivan, LLP is proposed counsel to the Debtors.

/s/ William McGovern

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/s/ Gregory J. Hollon

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